IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS SHERMAN DIVISION

| § |
|--------------------------------|
| § |
| \$ \$ |
| § |
| § CIVIL ACTION NO. 4:09-CV-613 |
| § |
| § |
| § |
| § |
| § |
| § |
| |

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On January 26, 2011, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant's Motion to Dismiss for Lack of Personal Jurisdiction (Dkt. 32) be GRANTED and that the claims against Defendant Creme de la Creme Inc. be dismissed for lack of jurisdiction.

The court, having made a *de novo* review of the objections raised by Plaintiffs and Defendant's response, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit. Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court.

Defendant's Motion to Dismiss for Lack of Personal Jurisdiction (Dkt. 32) is GRANTED and the claims against Defendant Creme de la Creme Inc. shall be dismissed for lack of jurisdiction.

IT IS SO ORDERED.

SIGNED this the 27th day of March, 2011.

RICHARD A. SCHELL

UNITED STATES DISTRICT JUDGE